
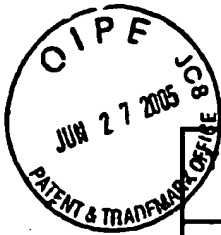


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| <b>Application Number</b><br> | <b>Application/Control No.</b><br>10/758,492 | <b>Applicant(s)/Patent under Reexamination</b><br>DOMES, JOSEPH |  |
| <b>Document Code - DISQ</b>  |  | <b>Internal Document – DO NOT MAIL</b>                          |  |

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|--------------------------------|--|---|
| <b>TERMINAL<br/>DISCLAIMER</b> | <input checked="" type="checkbox"/> <b>APPROVED</b>            | <input type="checkbox"/> <b>DISAPPROVED</b> |
| <b>Date Filed :</b>            | <b>This patent is subject<br/>to a Terminal<br/>Disclaimer</b> |   |

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
TN-09425C

In re Application of: Joseph Domes

Application No. 10/758,492

Filed: January 15, 2004

For: Ruggedized Tradeworkers Radio

The owner\*, Black & Decker Inc., of 100 percent interest in the instant application and patent numbers 6,496,688 and 6,427,070 disclaims, except as provided below, the terminal part of the statutory term of patent numbers 6,496,688 and 6,427,070 which would extend beyond the expiration date of the full statutory term of any patent granted on the instant application as the term of any such resulting patent is defined in 35 U.S.C. 154 and 173. The owner hereby agrees that patent numbers 6,496,688 and 6,427,070 shall be enforceable only for and during such period that they and any patent granted on the instant application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of patent numbers 6,496,688 and 6,427,070 that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the instant application in the event that said patent granted on the instant application later:

expires for failure to pay a maintenance fee;  
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is found invalid by a court of competent jurisdiction;  
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;  
has all claims canceled by a reexamination certificate;  
is reissued; or  
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record. Reg. No. 38,373

  
Signature

June 17, 2005

Date

Adan Ayala, Esq.

Typed or printed name

410-716-2368

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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